

REMARKS

Claims 1-6 and 10-13 have been canceled. Claim 9 and amended claims 7 and 8 are in this application.

The Examiner stated that Figs. 1-5 "should be designated by a legend such as -Prior Art."

Figs. 1-5 have been amended herein so as to include the legend "PRIOR ART."

The drawings were objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference which is mentioned in the description: "Ftg as disclosed on page 14 of the specification."

Line 10 of page 14 of the present application has been amended herein so as to change "Ftg" to "Ptg." As a result, it is respectfully submitted that the above objection to the drawings be withdrawn.

The Examiner stated that the lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors.

The present specification has been amended herein to correct minor errors that the Applicants' undersigned attorney has become aware of.

Claims 1-9 and 11-13 were rejected under 35 U.S.C. 102(b) as being anticipated by Bienek et al. (WO 02/078388 A2). Claim 10 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bienek in view of Foster et al. (U.S. Patent No. 5,815,578).

As previously indicated, claims 1-6 and 10-13 have been canceled. Independent claim 7 (from which claims 8 and 9

depend) has been amended herein to incorporate features from claim 10 and also other features. As a result, amended independent claim 7 now recites in part the following:

"a plurality of subtraction circuits respectively supplied with the outputs of the first plurality of digital filters and outputs of the second plurality of digital filters and operable to perform respective subtraction operations therebetween, in which signals representative of outputs of the plurality of subtraction circuits are respectively delivered to the plurality of speakers,

in which predetermined delay times are set at the first plurality of digital filters so that respective propagation times required until the audio signal arrives at a first point within the sound field through the first plurality of digital filters and the respective plurality of speakers coincide with each other,

in which predetermined transfer characteristics are set at the second plurality of digital filters so as to cause a cancelling sound wave to be produced to control sound at a second point within the sound field among sounds formed from outputs of the first plurality of digital filters, and

in which a primary sound wave and a leakage sound wave are provided by the same speaker or speakers as the cancelling sound wave, and in which the cancelling sound wave has a frequency and level which are the same as that of the leakage sound wave and the cancelling sound wave has a phase which is opposite that of the leakage sound wave."
(Emphasis added.)

In explaining the above-identified rejection with regard to claim 10, the Examiner appears rely on Foster and in particular, lines 22-36 of column 5 and lines 18-57 of column 8

and Fig. 3 thereof, to disclose a leakage canceling signal. (See section 8 of the present application.) It is respectfully submitted that such portions of Foster do not appear to specifically disclose the above-identified features of claim 7. That is, the portions of Foster relied on by the Examiner do not appear to disclose that a primary sound wave and a leakage sound wave are provided by the same speaker or speakers as the cancelling sound wave. Instead, such portions of Foster appear to specifically disclose that the leakage signal is supplied from speaker 300 and the leakage canceling signal is supplied from speaker 302.

Accordingly, it is respectfully submitted that claim 7 is distinguishable from the applied combination of Bienek and Foster.

Claims 8 and 9 depend from claim 7. As such, it is respectfully submitted that claims 8 and 9 are also distinguishable from the applied combination of Bienek and Foster for at least the reasons previously described.

As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections and/or rejections which the Examiner might have.

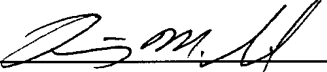
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If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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